

Assembly
TRANSPORTATION COMMITTEE MINUTES

FEBRUARY 1, 1973

MEMBERS PRESENT: Mr. Glover, Chairman
Mr. Dreyer
Mr. May
Mr. Smalley
Mr. Bickerstaff
Mr. Howard
Mr. Jacobsen

MEMBERS ABSENT: None

GUESTS: Howard Hill, Director of the Department of Motor Vehicles
Virgil Anderson, Nevada Division of AAA
Brian Firth, Nevada Motorcycle Riders Association
Mr. Fitzpatrick, Nevada Department of Motor Vehicles
Richard Bortolin, Deputy Attorney General for DMV

The meeting of the Transportation Committee was called to order by Chairman Glover, at 4:00 p.m. on February 1, 1973. Chairman Glover stated that the purpose of the meeting was to hear testimony on AB36, AB41, and SB14.

First to speak on AB36 was Howard Hill, Director of the Department of Motor Vehicles. He began by giving a short explanation of AB36 and the Department's views on it. AB36 would establish a new resident law in regards to registering motor vehicles and securing driver's licenses. As the law is now, a person moving into this State does not have to register his vehicle until the registration of his vehicle expires in the state of his previous residence. It also states that a person does not have to secure a Nevada driver's license until his car is registered in this State. Therefore some people who move here in January or February can drive the rest of the year on their old registration and driver's license (providing it doesn't expire). Mr. Hill stated that the Department hoped that this bill would be passed so that a person would have to register his vehicle and get a Nevada driver's license within 45 days after establishing residence in this State. He also said that this would give them more control over the bad driver. The Department would be able to prorate the amount charged a new residence so that he would not have to pay the full amount if he had just gotten a new registration in his previous residence. Mr. Hill then distributed a list of amendments (attachment 1) that the Department hoped to have passed as the bill was drafted several months and upon further study the Department felt that these amendments were needed for clarification. There were no questions for Mr. Hill.

Next to speak on AB36 was Virgil Anderson, who spoke on behalf of the Nevada Division of AAA. He spoke in opposition of the bill, stating that AAA felt that particular features of the bill put too much burden on the motor vehicle owner. He cited

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the case of a worker who comes into this State and works for over 45 days on a project would have to register his vehicle and obtain a Nevada driver's license and upon returning to his home state would have to re-register his vehicle and get another driver's license. He also felt that the wording of the bill could be construed to mean that a person residing in another state but owning property in this State would have to register his car in both states and he did not see how anyone could be a resident of two states. On this basis, for the convenience of the public, AAA feels that the committee should consider continuing the law in its present form. Mr. Smalley then posed the question of how present law would be affected by no-fault insurance should it come into being. Mr. Anderson said that he felt it would have no affect because no-fault insurance was governed by where the accident occurred.

Mr. May then asked Mr. Hill if knew how many states Nevada had reciprocit agreements with. Mr. Hill said that he thought we had such agreements with almost every state.

Next to speak was Mr. Furth, who spoke against AB36 as being too broad and providing too many ways that a person would become a resident of this State without even living here.

Chairman Glover announced that the committee would take more testimony on AB36 at its next meeting and that the next bill to be heard would be AB41, which makes changes in the licensing provisions for motorcycles and requirements of both hands on the handlebars.

Mr. Fitzpatrick of the Department of Motor Vehicles spoke on behalf of AB41. He explained that the bill had not come out quite as they had hoped and he distributed copies of the changes they would like to see made. The changes would delete the present NRS 486.161 and would replace it with Attachment 2. He explained that this change would bring everything into line with the way it would be easiest for the Department to handle. A person who drove several types of vehicles would not have to be continuously renewing licenses. Chairman Glover asked if the Department wanted the committee to delete the requirement of completion of a motorcycle driving school, but Mr. Hill said that the Department did not wish to get into this at this time.

Mr. Furth asked to be heard on behalf of the Nevada Motorcycle Riders Association. He spoke against the bill, saying that he felt the bill did not have the consent of the people and that they were not even aware that it was in consideration. He also felt that DMV had no grasp of the significance of the word "Standard" in constitutional law. He asked the committee to introduce another definition of the word "Standard". There were no questions by the committee on his comments.

Next to be considered was SB14, but as there were no members of the Highway Department present to give testimony on this bill Chairman Glover delayed any action on it until another meeting.

Mr. Richard Bortolin, Deputy Attorney General for the Department of Motor Vehicles, then asked if he could distribute copies of a case history previously introduced in regard to AB45. He also said that he had talked to the local DA and the DA felt that AB45 was indeed constitutional.

Chairman Glover announced that no more testimony would be taken at this time so that the committee could get down to discussing the bills. AB164 was the first bill up for consideration by the committee. Chairman Glover said that he had been asked to put it on the agenda for the next meeting so that Assemblyman Gojack could give testimony on this bill.

AB38 was next to be discussed. Mr. Smalley made a motion that this bill be indefinitely postponed and Mr. May seconded the motion. All the members of the committee voted yes.

AB37 - Mr. Dreyer felt that this bill might cost a lost of money and perhaps should have gone to Ways and Means first, but there had been no fiscal note attached. Mr. Howard suggested that the committee go ahead and have a hearing on it and then send it to Ways and Means if necessary. Chairman Glover said he would schedule testimony on it for the next meeting and Mr. May suggested that perhaps the Department should develop an estimate on what it would cost to implement the bill.

AB39 - Mr. Jacobsen said that he anticipated that this bill would also have to go to Ways and Means as he felt that this might also be a costly bill. Mr. Glover said that he had talked to some examiners and there was the feeling that there would not be enough space at the present facilities to take and develop pictures for licenses. Mr. Small made the motion that the committee return the bill to the Assembly with a "Do Pass" recommendation. Mr. Bickerstaff seconded the motion. The motion passed unanimously. Mr. Dreyer then asked to be excused.

AB40 - The general opinion of the committee was that it was too broad in concept and far reaching in that it may cause the loss of federal monies under the Highway Safety Act. Mr. Jacobsen moved that the bill be indefinitely and permanently postponed. Mr. Bickerstaff seconded the motion. The motion passed with no dissenting votes.

AB42 with two amendments - There was no discussion on this bill and Mr. Jacobsen moved that the bill be returned to the floor with a "Do Pass as Amended" recommendation. Mr. Howard seconded the motion. The motion passed with no dissenting votes but Mr. May abstained from voting.

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AB43 - Chairman Glover stated that he hoped to get this bill out of committee as he felt that it was good and necessary bill. He felt that it would not work any real hardship on the family of a person convicted of a second offense of drunken driving as the person convicted would serve the sentence out on weekends when he would normally be home doing something he enjoyed. Mr. Howard made a motion that committee return this bill with a "Do Pass" recommendation. Mr. Smalley seconded the motion. The motion passed unanimously.

AB45 - Mr. May moved that the bill be postponed indefinitely. Mr. Bickerstaff seconded the motion. Messrs. May, Bickerstaff, Howard, Smalley, Jacobsen voted yes while Chairman Glover voted no.

Chairman Glover said that they would wait until next week to discuss AB46 when they would have the amendments to it. Mr. Bickerstaff stated that he liked this bill but felt that it needed more "bite" to it to take care of the unscrupulous dealers.

Chairman Glover asked Mr. Bickerstaff if would be able to give his demonstration of the motorcycle in connection with AB41 next Thursday. Mr. Bickerstaff agreed and Mr. Glover said that AB41 would be on the Agenda for Thursday, February 8.

Mr. Smalley moved to adjourn the meeting and Mr. May seconded the motion. The Chairman adjourned the meeting at 5:30.

Respectfully submitted

Sandra Gagnier
Sandra Gagnier,
Assembly Attache

AGENDA FOR COMMITTEE ON TRANSPORTATION

Date Feb. 1, 1973 Time 4:00 p.m. Room 336

<u>Bills or Resolutions to be considered</u>	<u>Subject</u>	<u>Counsel requested*</u>
A.B. 36 ✓	Amends provisions concerning motor vehicle operation and licensing and driver's licensing for new residents.	
A.B. 37	Changes license plate codes and provides code for motorcycles.	
A.B. 38 <i>Postponed</i>	Increases motor vehicle registration fees.	
A.B. 41	Makes changes in licensing provisions for motorcycles and requirement of having both hands on handlebars.	
S.B. 14	Adds definition for terms currently used but undefined in highway beautification law.	

*Please do not ask for counsel unless necessary.

HEARINGS PENDING

Date _____ Time _____ Room _____
Subject _____

Date _____ Time _____ Room _____
Subject _____

A. B. 36

Page 1, Line 6

Page 1, Line 6, to be changed to read: "Resident" for the purpose of this Chapter shall include:

Page 1, Lines 11 and 12

Delete lines 11 and 12 and add the following:

The provisions of section 3, shall not apply to vehicles operated in this state under the provisions of any reciprocity agreement made by the department or to vehicles entitled to proportional registration under the provisions of Chapter NRS 706.801 to 706.861, inclusive, or NRS 482.385 to 482.395 inclusive.

Page 2, Lines 39 and 40

Delete "After becoming a resident".

Page 2, Lines 42 - 47

Delete Lines 42 - 47 and add the following:

Section 5, Line 42

A person registering a vehicle pursuant to the provisions of subsection 3, shall be assessed the registration fees and privilege tax, as required by the provisions of Chapter 371 and Chapter 482 of NRS. He shall be allowed credit on said taxes and fees for the unused months of his previous registration. The fee discussed in 482.480, section 10, shall not be prorated. Those fees that are to be prorated will be prorated based upon Nevada Registration fees and privilege taxes and reduced by one-twelfth for each month remaining on the registration period in the State of former residence. In computing the credit a fraction of \$1.00 shall be disregarded, unless it exceeds 49 cents, in which case it shall be treated as \$1.00.

Page 3, Line 19

Page 3, Line 19, shall be changed to read "Residents" for the purpose of this chapter shall include

Page 3, Lines 43 - 49

Page 3, Lines 43 - 49 be deleted and add the following:

When a person becomes a resident of Nevada as defined in NRS 482, and NRS 483, he must obtain a Nevada Driver License as a prerequisite to driving any Motor Vehicle in the State of Nevada.

ATTACHMENT I (continued)

Page 4, Lines 7 - 8

Delete 7 and 8.

A.B. 41

Page 3, Lines 7 - 26

Delete Lines 7 - 26 and substitute the following:

486.161 Expiration and renewal of licenses.

1. Except as provided in subsection 2, every motorcycle driver's license [or other authority to drive a motorcycle] shall expire [on the second anniversary of the date of birth of the applicant occurring after June 30, next following the date of its issuance.] in the case of a person 70 years of age or older on the second anniversary and in the case of all other persons on the fourth anniversary of the licensee's birthday, measured in the case of an original license, a renewal license and a licensee renewing an expired license, from the birthday nearest the date of issuance or renewal. Any applicant whose date of birth was on February 29, in a leap year, shall for the purposes of NRS 486.011 to 486.381, inclusive be considered to have the anniversary of his birth fall on February 28. Every license shall be renewable on or during a 90-day period before its expiration upon application and payment of the required fee, and except as provided in subsection 2 of NRS 486.131, each applicant for renewal shall appear before a driver's license examiner and successfully pass a test of his eyesight. Every motorcycle endorsement to a driver's license issued on or after January 1, 1972, shall expire simultaneously with the expiration of the driver's license.

2. Every license issued before January 1, 1972, authorizing a person to drive a power cycle shall be valid for driving a power cycle and every such license authorizing a person to drive a motorcycle shall be valid for driving a motorcycle until its normal expiration.

3. Any person who has been issued a driver's license before January 1, 1972, without having the authority to drive a motorcycle or power cycle endorsed thereon shall, before driving a motorcycle, as defined in NRS 486.041, successfully pass a driving test conducted by the department, pay a fee of \$2.00, and have such authority endorsed upon such license. A \$2.00 fee shall also be assessed for motorcycle endorsements to driver's licenses, issued on or after January 1, 1972.

4. As used in this section, "power cycle" means every motor vehicle equipped with a seat or saddle for the use of the driver designed to travel on not more than three wheels in contact with the ground and propelled by a motor of 70 cc. displacement or less which produces 6 1/2 horsepower or less.